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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Avner Yayon

Application No.: 09/921,279

Group Art Unit:

Filing Date: August 2, 2001

Examiner:

For: A SCREENING ASSAY FOR  
ANTAGONISTS OF FGFR-MEDIATED  
MALIGNANT CELL TRANSFORMATION  
AND TUMOR FORMATION

Attorney Docket No.: 81408-1

**PETITION TO ACCEPT LATE FILING OF DECLARATION AND  
PAYMENT OF FEES**

Attn: Office of Petitions  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby petitions for acceptance of late filing of Declaration and payment of fees for the above-identified patent application.

The instant application was unavoidably abandoned on November 17, 2001 when Attorney for Applicant failed to respond within the statutory period of two (2) months from the date of the Notice To File Missing Parts mailed on September 17, 2001. The Notice To File Missing Parts was never received by Attorney for Applicant. As I have no record of receipt of the Notice, and since the Notice was mailed shortly after September 11, 2001, it is presumed to have been lost in the mail. During a routine docket check in December, 2002 by our Supervisor of Docketing, it was discovered that no Notice To File Missing Parts had been received. A telephone call to the Office of Initial Patent Examination uncovered the fact

that that the Notice had been mailed on September 17, 2001, and upon request, a copy of the Notice was forwarded to Attorney for Applicant by telefacsimile on December 20, 2002.

Attorney for Applicant hereby submits a declaration executed by Mary J. Walker, Docketing Supervisor of the Washington, D.C. office, and respectfully requests that the time for responding to the Notice To File Missing Parts be re-started. Furthermore, as noted above, a response to the Notice is submitted herewith, with appropriate fee authorization, so that the processing of the formal papers for this application can be expedited.

A petition fee of \$130 is believed to be required: please charge the required fee to Winston & Strawn deposit account no. 501-814.

Respectfully submitted,

1/30/03  
Date

Allan A. Fanucci  
Allan A. Fanucci, Reg. No. 30,256

**WINSTON & STRAWN**  
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202-294-3311